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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

16 E.W., A minor, By and Through C.W.,
His Guardian Ad Litem.

CASE NO. 2:05-cv-0194-MCE-DAD

Plaintiff.

**STIPULATION AND ORDER FOR
EXTENSION OF DEADLINE FOR
HEARING OF CROSS-MOTIONS FOR
SUMMARY JUDGMENT**

19 ROCKLIN UNIFIED SCHOOL
20 DISTRICT and PLACER COUNTY
 OFFICE OF EDUCATION.

Defendant

23 TO THE HONORABLE MORRISON C. ENGLAND, JR., JUDGE OF THE UNITED STATES
24 DISTRICT COURT:

IT IS HEREBY STIPULATED AND AGREED by and between counsel for Plaintiff E.W., a minor by and through C.W., his guardian ad litem, and counsel for Rocklin Unified School District and Placer County Office of Education, that the deadline for hearing on

dispositive motions in this case be extended and continued to June 19, 2006, at 9:00 a.m.

2 The parties request this extension on the basis that May 15, 2006, which is the last date to
3 hear dispositive motions pursuant to the Court's Scheduling Order of September 20, 2005, is no
4 longer available for law and motion on the Judge's calendar. The only date prior to May 15,
5 2006, which is available is May 5, 2006. The parties were just informed of this on April 10,
6 2006. The parties' cross-motions for summary judgment are not yet ready to be filed with the
7 Court nor is there sufficient time to give the notice required under Local Rule 78-230.

The parties agree that appeals of administrative hearing decisions under the Individuals with Disabilities Education Act are decided on summary judgment motions due to the fact that a full administrative record exists from the underlying hearing. Neither party requested that this Court hear additional testimony or evidence. There is no need for a trial in this matter, and therefore, a short extension of time should not interfere with a timely determination of this matter.

13 Based upon the stipulation among the parties, subject to Court approval, the deadline for
14 dispositive motions shall be June 19, 2006 at 9:00 a.m., and the parties will adhere to the notice
15 timelines based upon a hearing date of June 19, 2006. Because no trial date is needed, the parties
16 request that the final pretrial conference scheduled for August 14, 2006 and the trial date of
17 September 27, 2006 be vacated.

18 | Dated: April 12, 2006

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

By _____ /s/ Michelle L. Cannon
Michelle L. Cannon,
Attorney for Defendants

LAW OFFICES OF ROBERTA SAVAGE

Dated: April 12, 2006

By _____ /s/ Roberta Savage
Roberta Savage,
Attorney for Plaintiffs

1 ORDER
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3 IT IS HEREBY ORDERED based upon the stipulation of the parties, and the court having
4 considered the matter:

- 5 1. The deadline for hearing dispositive motions shall be extended to June 19, 2006, at 9:00
6 a.m.
7 2. The parties shall adhere to the notice requirements of Local Rule 78-230 based upon a
8 hearing date of June 19, 2006.
9 3. The Final pretrial conference of August 14, 2006 and trial date of September 27, 2006
10 shall be vacated.

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12 Dated: April 14, 2006
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14 MORRISON C. ENGLAND, JR.
15 UNITED STATES DISTRICT JUDGE
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